



CONSTITUTION and BYLAWS

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ARTICLE 1 - NAME AND JURISDICTION

Section 1 – Name

This Union shall be known as SEIU Local 99, Service Employees International Union.

Section 2 – Jurisdiction

The jurisdiction of this Union shall be composed of all education workers who are employed in any phase of public, non-profit or private employment, or any other employees who may be designated within the jurisdiction of this Union by the Service Employees International Union.

ARTICLE 2 - OBJECTIVES

Section 1 – Objective of Bylaws

The Objective of these Bylaws is to provide rules, not in conflict with any higher authority, to govern the Local Union. Its sole intent is to establish rules of acceptable self government.

Section 2 – Objective of This Local Union

The policy of this Union and its methods of operation shall be such as to facilitate and stimulate the broadest possible rank and file participation in the formulation and execution of the program of the Union; and to encourage the development of effective leadership.

ARTICLE 3 – MISSION STATEMENT

We, the working men and women believe we have a moral responsibility to the future generations to leave the world a better place for all who come after us. Therefore, we, SEIU Local 99 in both public and private sector jurisdictions, are united by the belief in the dignity and worth of workers and the services they provide. We unite to form a stronger union, to build power for ourselves, and to protect and develop the welfare and interest of our membership, and organize all working people through education and collective actions; so that we shall obtain the best possible compensation for our labor, greater control over all aspects of our work, and improvements of the conditions under which we work.

We empower accountable and courageous leadership. We strive to enhance the strength and influence of the union while improving the lives of workers and their families. Our power and effectiveness depend upon the active participation and commitment of our members, and solidarity with each other and our political and community allies.

Our strength comes from our unity and diversity. We must not be divided by forces of discrimination based on race, gender, ethnicity, immigration status, religion, age, physical ability, gender expression, marital status and sexual orientation – we are standard bearers in the struggle for social, economic and global justice, and civil liberties.

We pledge ourselves to provide the highest quality of services for our communities and ourselves.

ARTICLE 4 – MEMBERSHIP ELIGIBILITY AND REPRESENTATIONAL CATEGORIES

Section 1 - Categories of Membership

The membership of the Union shall be composed of employees or retirees of public or private employers and shall include membership categories of Active, Associate, Inactive, and Retired.

A. Active Member

Those employees employed regularly by a public or private employer where the Union has bargaining jurisdiction. Any person who desires to become a member of this Local Union must truthfully and completely fill out the regular application form and sign his or her full name hereto. An active member is one who has paid the required current dues obligation, has met the above stated requirements and therefore is eligible for the full rights and privileges of membership. These rights are maintained if on strike or when such dues obligations are waived.

Definition of member in good standing.

B. Associate Member

A regular member who has terminated employment or vacated a represented bargaining unit within a jurisdiction represented by the Union, and was a member in good standing at such time, may become an Associate Member subject to Executive Board approval. Such membership entitles the member to serve on Local-wide Union Committees and participate in Local-wide meetings. Associate Members have no voting rights and are not eligible to run for any office. Associate Members are not eligible to serve as Committee Chairs and may not attend the Leadership Assembly. They must pay the required dues and be approved for associate membership by the Executive Board.

Definition of associate member.

C. Inactive Member

At his or her request, a member may be issued a withdrawal card provided all of his/her other dues and assessments shall have been paid up to the date of his/her application for such withdrawal card.

Procedure for members who are away from work for extended period of time.

A member taking out a withdrawal card from this Local Union shall be entitled to no benefits of any kind. A withdrawal card shall become null and void two years after its issuance.

D. Retired Member

A Regular or Associate Member as described in Sections A and B of this Article, who retires from employment and has been in continuous good standing with this Local for at least one (1) year prior to retirement, is eligible for membership in the Retirees' Committee/Retiree Division. Such membership entitles the member to participate fully within the Committee/Division, to serve on Local-wide Union Committees and participate in Local-wide Membership Meetings. They must pay their current dues obligations. Retired members have the right to vote in at-large elections and to vote for the Retiree Division Delegate to the Executive Board. They are not eligible to hold or run for union office, other than Retiree Division Delegate to the Executive Board nor are they entitled to vote in agreements that apply to representational units.

Definition of retired member.

E. Staff Member

A staff member is a person on the Local Union staff who maintains membership in the Local Union. Staff members are not eligible for nomination as an Officer or Industry Delegate to the Executive Board. Staff members are not eligible to vote for any Executive Board seats or other member held seats. To be eligible to serve as a delegate at any Central Labor Councils, State or County Federations, SEIU State Councils, Division or Service Councils or Conventions, staff members must maintain their membership at the maximum rate of a regular active member and meet all other criteria of this Constitution and Bylaws.

Definition of staff member. Staff members cannot run for office or vote in Local-wide elections.

Section 2 - Other Representational Categories

All other employees eligible to receive representational rights from the Union are as follows:

A. Agency Fee

Agency Fee Payers are defined as those employees electing to pay agency fees in lieu of full Union membership dues. The agency fee payers shall be entitled to representational rights. Agency fee payers shall be ineligible to vote in Union elections or contract ratifications, hold office, or any other rights enjoyed by members in good standing.

Section 3 - Suspension of Good Standing Status of Membership

A member who shall be in arrears in the payment of any installment of dues or assessments more than one hundred and twenty (120) days after their due date shall not be in good standing and shall not be entitled to member rights as defined above.

Section 4 - Right to Inspect Records

For a purpose reasonable related to such person's interest as a member, a member has the right to inspect the following records of the Union upon written demand and at a reasonable time and place: (A) the minutes of the proceedings of the Executive Board and membership meetings, (B) the annual financial report, (C) the record of all of the members' names, addresses and internal Union voting rights.

Member rights defined by the law.

Section 5 - Exclusive Representative

Every member in a SEIU Local 99 bargaining unit, by virtue of membership in this Local Union, authorizes this Local Union, as directed by the Executive Board, to act as the exclusive bargaining representative with full and exclusive power to execute agreements with members' employers governing terms and conditions of employment. Members further authorize this Local Union to act for members and have final authority in presenting, processing and adjusting any grievance, difficulty, or dispute arising under collective bargaining agreement or out of his/her employment with such employer, in such manner as this Local Union determines.

Members' representational rights.

Section 6 – Strikes

A. Strike Authorization

When reasonable avenues of negotiations between this Local Union and its bargaining unit employers have been utilized, members of the affected bargaining unit may call for a vote to authorize a strike against its employer. A majority vote of fifty-percent plus one (50 % +1) of those in the affected bargaining unit voting must be reached for a strike to be authorized.

Members' right to strike.

B. Notification to the International

This Local Union shall not strike without previous notification to the International President, or, where prior notice is not practicable, without notification as soon as possible after commencement of the strike, in which notice this Local Union has stated that it has complied with all applicable notice requirements. If this Local Union fails to give such notice, the International President may withhold sanction for the strike called by the Local Union.

C. Notification to Local Union Executive Board

Prior to the granting of any strike sanction by a bargaining unit of this Local Union, said bargaining unit shall first meet with the Executive Board which will have an advisory role in this process, to ensure that these prerequisites have been met, prior to a strike occurring.

ARTICLE 5 - STRUCTURE

The structure of this Local Union shall consist of a General Membership, a Leadership Assembly, an Executive Board and the Industry Divisions. The Local Union shall hire an Executive Director.

Explanation of who has decision-making power.

Section 1 - General Membership

The General Membership is the body of this organization authorized to take lawful action, consistent with these Bylaws to act in behalf of the Local Union through their elected representatives.

Section 2 - Executive Board

The affairs of the Local Union shall be conducted through the Authority vested in the Executive Board. The Executive Board shall ensure that the policies and directives of the Leadership Assembly are implemented.

Section 3 - Leadership Assembly

The Leadership Assembly shall be the body of this Local Union entrusted with reviewing and approving programs and budgets recommended by the Executive Board.

Section 4 - Industry Divisions

Jurisdiction and composition of this Local Union shall be divided into Industry Divisions. Industry Divisions will function as a vehicle for members that share a common interest in regard to the agencies that employ them or services they provide, to work collectively. Industry Divisions may make recommendations to the Executive Board on plans and programs.

ARTICLE 6 - EXECUTIVE BOARD

Section 1 - Executive Board

A. Composition

The Executive Board shall consist of the President, Vice President, Secretary and Treasurer, and the elected delegates from each Industry Division. Executive Board members shall not receive compensation of any kind for their service on the Executive Board.

Explanation of who sits on Executive Board.

Industry Division Executive Board Delegates

Each Industry Division shall be entitled to four (4) delegates, subject to the following limitations:

- 1) Where there are multiple bargaining units with the same employer within the same Industry Division, no bargaining unit may hold more than one (1) of the Division’s four (4) seats;
- 2) Where there are multiple bargaining units with different employers within the same Industry, no bargaining unit may hold more than two (2) of the Division’s four (4) seats.

Explanation of Industry Division delegate representation on Executive Board.

C. Retiree Division Delegate

Retirees shall be entitled to one (1) delegate, who shall be elected by vote of all retiree members, without regard to Industry Division.

Section 2 – Meetings

A. Regular Meetings

The Executive Board shall hold at least ten (10) meetings per year, on a regular schedule that is known generally to the membership. Members shall have the right to address the Executive Board on issues or unresolved problems in

accordance with reasonable procedural guidelines established by the Board. All Executive Board meetings shall be open to all members in good standing except for matters referred to closed session.

B. Special Meetings

Special meetings of the Executive Board may be called by the President or the Executive Board may call a special meeting based upon a request from one-fourth (1/4) of the currently seated Board members.

Both President and Executive Board can call special meetings.

C. Order

All meetings of the Executive Board shall be conducted in accordance with the current edition of Robert's Rules of Order.

D. Minutes

Minutes of regular and special meetings shall be presented in writing to the Executive Board for adoption at its next regularly scheduled meeting. Minutes will be available to members in good standing upon request to the Secretary.

E. Quorum

A simple majority of filled seats of the Executive Board shall constitute a quorum for the transaction of Union business at the meeting of the Board.

F. Attendance

In the event that any member of the Executive Board has an unexcused absence for three (3) consecutive regular meetings, without a reason approved by the Executive Board, that member's seat shall be declared vacant, subject to the procedures set forth in Article 14.

Unexcused absences approved by full Executive Board.

G. Order of Business

1. Opening
2. Roll Call of Executive Board
3. Reading of Minutes from the preceding meeting
4. Initiation of New Officers
5. Reports of Executive Director, Committees, Industry Divisions etc.
6. Old Business
7. New Business
8. Good and Welfare
9. Adjournment

Section 3 - Authority

The Executive Board shall have all the authority granted to it by these Bylaws, including, but not limited to the following:

- A. Develop an annual or multi-year budget and submit it to the Leadership Assembly for adoption;
- B. Establish plans, policies, and procedures that are required for the direction of the Union and the carrying out of decisions on program and budget as passed by the Leadership Assembly;

Executive Board develops budgets, plans and policies, and has the final decision on political endorsements.

- C. Approve expenditures, develop and take positions of this Local Union in respect to County Federations of Labor, International Union and State affiliates, endorsements, and any other matters related to political activities;
- D. Determine when a group of members should constitute a new Industry Division, as well as eliminating a current Industry Division, or consolidating current Industry Divisions and subsequently creating or eliminating Industry Division Delegate seats pursuant to Article 9;
- E. Direct the Strategic Planning Committee to develop annual and multi-year plans with goals and measurable standards subject to approval by the Executive Board; monitor accomplishments toward goals, adjust as necessary;
- F. Through committees where appropriate, plan and participate in rallies, celebrations, activities and conventions;
- G. Hire and negotiate a contract with an Executive Director;
- H. Approve contracts for services rendered to the Union. These contracts shall include but are not limited to; legal services, member benefit programs, auditing services, and facility leases, with input from the appropriate committees.

Executive Board can create new Industry Divisions, and works with the Strategic Planning committee and other committees.

Executive Board hires an Executive Director.

ARTICLE 7 - OFFICERS

Section 1 - Officers

The Officers of the Local Union shall be a President, a Vice President, a Secretary and a Treasurer. All officers shall be required to serve actively on at least one Local Union committee.

Section 2 - Term of Office

The term of office for Local Union Officers shall be for three (3) years. The term of office for Industry Division Executive Board Delegates shall also be for three (3) years. The term of office shall commence July 1 following the election.

Three-year term of office.

Section 3 - Duties of the President

The President shall be the presiding officer of the Local Union and shall preside over all Executive Board and General Membership meetings.

- A. S/he shall be one of the persons authorized to sign all checks;
- B. S/he shall be an ex-officio member of all Industry Divisions, committees;
- C. S/he shall give a full report of his/her activities at each Executive Board meeting and General Membership Meeting;
- D. S/he shall build and maintain overall union strength as well as establishing and maintaining a visible presence of the Local Union in each of the Industry Divisions;
- E. S/he shall serve on the Strategic Planning Committee;
- F. In the event of a tie vote on the Executive Board s/he shall have the right to break the tie;
- G. May assign any of these duties, except those listed in subsection A above, to another member of the Executive Board.

President serves on Strategic Planning committee, signs checks, helps to build union strength and breaks tie votes of the Executive Board.

Section 4 - Duties of the Vice President

The Vice President shall perform the duties of the President in his/her absence.

- A. S/he shall be one of the persons authorized to countersign all checks;
- B. S/he shall build and maintain overall union strength as well as establishing and maintaining a visible presence of the Local Union in each of the Industry Divisions;
- C. In coordination with Local Union staff, s/he shall be responsible for steward recruitment, training and development;
- D. S/he shall serve on the Education and Training Committee.

Vice President serves on the Education and Training committee and signs checks.

In the event of resignation, recall, or permanent absence of the President, the Vice President shall assume the office of President;

Section 5 - Duties of the Treasurer

The Treasurer shall be responsible for all financial affairs of this Local Union.

- A. S/he shall be one of the persons authorized to countersign all checks;
- B. In coordination with Local Union staff, s/he shall submit at least monthly appropriate financial statements of the expenditures and income to the Executive Board;
- C. S/he shall give appropriate financial reports to the General Membership at its biannual meetings and to the Leadership Assembly at its biannual meeting;
- D. S/he shall serve as the chairperson of the Finance Committee;
- E. In coordination with Local Union staff, s/he shall oversee a yearly audit and engage the services of a Certified Public Accountant;
- F. In coordination with Local Union staff s/he shall be responsible for sending to the International Union and to any state council with which it is affiliated, the correct names, social security or social insurance numbers, addresses, phone numbers and e-mail, if available of all members of the Union (with proper zip codes), and all changes of address, the names and addresses of all members who are newly initiated or readmitted to the Union, a listing of all members who transfer or withdraw from the Union, a listing of all members who are suspended for non-payment of dues, or for any other cause, the names and addresses of all other persons from whom revenue is derived, and a complete record of all dues, other revenues and payments;
- G. In coordination with Local Union staff s/he shall promptly forward to the International Secretary-Treasurer copies of all annual audit reports and copies of all financial reports setting forth a statement of liabilities and a statement of receipts and disbursements that are required by law;
- H. In coordination with Local Union Staff shall forward to the International Secretary-Treasurer, by April 1 of each year, information and supporting documentation showing the average gross wage rate of its membership for the previous calendar year.

Treasurer gives financial reports to General Membership, serves as Chair of the Budget and Finance Committee and oversees a yearly audit conducted by a CPA.

Section 6 – Duties of the Secretary

- A. S/he shall keep a correct and accurate record of proceedings of all regular and special Executive Board, Leadership Assembly and General Membership meetings of the Local Union, in coordination with the Local Union staff;
- B. S/he shall furnish the chairperson of each committee a copy of such resolutions as may be adopted by the Local Union, applicable to its respective duties;
- C. S/he shall be one of the persons authorized to countersign all checks;
- D. S/he shall, in coordination with Local Union staff, maintain all official written documents of the organization and ensure they are kept in order and up to date in the office of the Local Union;
- E. S/he shall be responsible to send and receive all official correspondence related to trials and appeals.

Secretary is responsible for any correspondence related to any trials or appeals.

Section 7 - Bonding

The Treasurer and all other officers and employees handling any monies of this Local Union shall be bonded, said bond or bonds to be procured immediately upon assuming office or employment.

Section 8 - Convention Representation

The Service Employees International Union Convention is held every four years. The Local Union will make every effort possible to budget and send at least one delegate from each Industry Division. All duly elected Officers of the Local Union shall be eligible to be ex officio delegates to all conventions and conferences of Service Employees International Union and its affiliated bodies.

Members elect their representatives for the International Convention.

A. Election of Delegates

With the exception of the Retiree Division Delegate position, the available delegate positions will be divided equally among the Industry Divisions. If the number of available delegate positions does not divide equally amongst all Industry Divisions, each Industry Division will first receive an equal number of delegate positions. Thereafter the remaining positions will be allotted to Industry Divisions as determined by the Executive Board. The Industry Divisions will hold elections to fill all available delegate positions.

ARTICLE 8 – LEADERSHIP ASSEMBLY

Section 1 - Definition

The Leadership Assembly shall be comprised of active stewards, alternate stewards, Executive Board members and active committee members pursuant to Articles 10 and 15. Executive Board members may participate in presentations and discussions at the Leadership Assembly but shall not be afforded voting rights. The President shall chair the Leadership Assembly.

Active Stewards and Active Committee members have right to serve on Leadership Assembly.

Executive Board members may attend but do not get to vote.

Section 2 - Purpose

The purpose of the Leadership Assembly shall be for all current, active stewards, active alternate stewards, and active committee members to discuss and make decisions regarding issues, policies, and programs of concern to the membership, as well as adopt the Local Union budget.

Executive Board presents a proposed budget and program to the Leadership Assembly for approval.

Section 3 – Regular Meetings

The Leadership Assembly shall meet a minimum of two (2) times per calendar year with not more than six (6) months occurring between meetings. Members eligible to attend the Leadership Assembly shall be notified of the upcoming Assembly thirty (30) days prior to the meeting. A copy of the proposed budget and program will be made available prior to the scheduled Leadership assembly.

Leadership Assembly meets twice a year.

A. Year-end Meeting

The year-end Leadership Assembly shall review the work of the union during the preceding year and adopt goals and a budget for the coming year. A simple majority vote of the Leadership Assembly shall be required to sustain the recommendations of the Executive Board. If the Leadership Assembly does not pass the recommended budget, the previous year's budget will be extended for ninety (90) day intervals until a budget is passed.

B. Mid-year Meeting

The Mid-year assembly's purpose is to review progress toward reaching goals set for the year and possible adjustments to the budget.

Section 4 – Special Meetings

Special meetings of the Leadership Assembly may be called by the Executive Board or by petition. The petition calling a Special Leadership Assembly meeting may only be signed by members eligible to attend the Leadership Assembly and must be signed by at least one fourth (1/4) of the total number of members attending the most recent regularly scheduled Leadership Assembly.

ARTICLE 9 – INDUSTRY DIVISIONS

Section 1 - Definition

Members that share a common interest in regard to the agencies that employ our members (such as school districts, private for-profit, and not-for-profit agencies) or services our members provide shall be organized into industry divisions.

Members now part of Industry Divisions to give more focus and power in our industries.

Section 2 - Composition

Local 99 shall have the following *six* Industry Divisions: Early Education, Small Public K-12 Educational Institutions, Large Public K-12 Educational Institutions, Higher Education, County Office of Education, and Child Care. Each division is comprised of the members in good standing within the division.

A. Early Education Division

The Early Education Division is defined as all agencies, public, and private, for-profit and not-for-profit providing pre-Kindergarten educational services.

Definition of current Industry Divisions.

B. Small Public K-12 Division

The Small Public K-12 Educational Institutions Division is defined as all public agencies providing K-12 educational services wherein SEIU Local 99 represents fewer than 3,000 employees in each agency.

C. Large Public K-12 Division

The Large Public K-12 Educational Institutions Division is defined as all public agencies providing K-12 educational services wherein SEIU Local 99 represents 3,000 or more employees in each agency.

D. Higher Education Division

The Higher Education Division is defined as all agencies, public, private, for-profit and not-for-profit providing (post-high school) higher educational services.

E. County Office of Education

County Office of Education (LACOE) is defined as all county-based public agencies providing services to public K-12 districts.

F. Child Care

The Child Care division is defined as those providing child care services in their home.

Section 3 – New Industry Divisions

New industries may be formed by identifying two or more unique characteristics including diverse service, job classification and/or employer. The Executive Board may, by simple majority, vote to establish a new industry division.

Procedure to form new Industry Divisions.

Section 4 – Elimination or Consolidation

Existing Industry Divisions may be eliminated or consolidated by a two thirds vote of the Executive Board.

Procedure to eliminate Industry Divisions.

Section 5 – Industry Division Meetings

Divisions shall meet at least quarterly per year. The Industry Divisions shall schedule a meeting prior to the election of Industry Division Delegates and at-large officer positions for the purpose of allowing members to initiate their candidacy by obtaining nomination petitions and collecting signatures of fellow Industry Division members.

Industry Divisions meet quarterly.

Section 6 – Purpose

The mission, duties and responsibility of each Industry Division shall include but not be limited to:

- A. Acting as a vehicle for defending the contracts and the rights of our members on a daily basis;
- B. Acting as a forum for discussing common problems and concerns and establishing effective solutions;
- C. Developing effective systems of worksite communication including distribution systems for written materials, updating bulletin boards, holding worksite meetings and other union-related activities;
- D. Facilitating discussion and dialogue on issues, union activities, training and education and other union-related concerns;
- E. Developing additional councils, and/or sub-committees as necessary based on needs within a particular classification, industry, shift, geographic area, temporary situation, multi-employer or multi-facility contract or other considerations.

Industry Divisions focus on building strength in the workplace.

Industry Divisions can create sub-committees.

Industry Divisions shall operate within guidelines approved by the Executive Board on such matters that include but are not limited to: structure and other appropriate policy matter.

ARTICLE 10 – STEWARDS

Section 1 – Definition

Stewards are the vital life stream of any local union. A strong, democratic and effective union is built on a solid foundation of stewards at each worksite. The stewards' duties and obligations are many and shall include the following but are not limited to:

Definition of steward.

- A. Invigorate, encourage and inspire membership;
- B. Keep all members at the work location informed of union activities. Distributing and posting all appropriate information and conveying to union leadership the concerns and problems of the membership;
- C. Represent his/her worksite in appropriate meetings of the Local Union and is responsible for representing the interests of the members in their absence;
- D. Organizing a strong and united workplace, and contributing to organizing the unorganized in the community;
- E. Stewards are worksite leaders of the Local Union. Stewards will handle problems and grievances at the worksite and will act as the first line of contact with members and management at the worksite;
- F. Stewards shall orientate new members, ensuring that new workers are given the proper orientation to both their work and their Local Union;
- G. Stewards must attend Local Union Steward Trainings as defined below. Stewards are expected to complete the majority of the series of trainings;
- H. Stewards shall maintain overall union solidarity and enthusiasm at the worksite and organize a strong united workplace.

Stewards' roles.

Section 2 – Requirements

A. Training

In the series of Steward Trainings, new stewards must attend two (2) trainings in their first year as a steward. This training must be completed within six (6) months of being elected as a steward. Continuing stewards or re-elected stewards must attend one (1) in the series of steward trainings. This must be completed in the first six (6) months of their continuing term or new term.

Requirements for active stewards – training.

B. Union Strength

The role of a Steward creates the foundation of any strong union. As such, stewards must engage in one the following activities throughout the course of every year in which s/he serves as a steward for this Local Union: attend Local Union rallies; attend appropriate Industry Division meetings; mobilize coworkers on a worksite issue; participate in a Local Union committee; conduct worksite meetings; or participate in a Local Union sponsored campaign.

Requirements for active stewards – building union strength.

C. Leadership Assembly

Active stewards and active alternates are expected to attend the biannual Leadership Assembly.

Active stewards have right to attend Leadership Assembly.

D. Inactive Stewards

Stewards who are inactive will be notified of their inactive status and shall have an opportunity to become active.

Inactive Stewards to be notified of status.

E. Term

Stewards shall be elected for a term of two years, subject to the limitations and procedures in Article 12, Section 14.

Stewards elected for two-year terms.

ARTICLE 11 – ADMINISTRATION

Section 1 - Definition

The Administration of this Local Union is vested in the Executive Director, who will stand in a position of trust and confidence to the Local Union. The Executive Director is bound to act reasonably and in good faith and for the benefit of the members of the Union.

Executive Board hires a trained professional to run day-to-day affairs of the Local Union.

The Executive Director shall be the Chief Administrative Officer of the Union and shall have the power to hire or fire staff as deemed necessary for the transaction of Union business, subject to review by the Executive Board.

Section 2 – Powers

The Executive Director shall act as the Local Union's Chief Administrative Officer, subject to the direction of the Executive Board. In the exercise of administrative functions, the Executive Director is required to utilize sound judgment and independent discretion and is responsible for the implementation of Local Union policy, usually including:

Executive Director works subject to the direction of Executive Board.

- A. Manage and direct the day-to-day staffing, plant facility and office affairs of the Union;
- B. Develop procedures as it relates to day to day affairs to facilitate the implementation of the programs and goals of this Local Union;
- C. S/he shall be one of the persons authorized to countersign checks, as well as co-signing all contracts and warrants;
- D. Direct and manage the negotiations of wages, benefits and other terms and conditions of employment in collective bargaining agreements as well as handling of grievances and arbitrations;
- E. Collecting all dues and such other monies as may be due to the Local Union and, in cooperation with the Treasurer, depositing the funds to the accounts of the Local Union, as well as notifying by letter any or all of the membership who may be in arrears in the payment of their dues, if possible;
- F. Submitting for each fiscal year a proposed budget with all revenues and expenditures of the Local Union;
- G. Notify the International Union in writing when any collective bargaining negotiations or memorandums of understanding have been concluded, together with the number of employees covered and the expiration date of the contract;
- H. Notify the International Union of all those elected to office within 15 days of the Executive Board election;
- I. Turning over all records to a successor at the time a successor is selected and Executive Board or its designee has audited such records;
- J. Performing such additional duties as the Executive Board or the membership may direct.

The Executive Director may delegate any of the functions of the position, except the power of acting as Chief Administrative Officer of the Union, or co-signing all contracts, checks and warrants, to any members of the Local Union staff as may be deemed necessary and in the best interests of the Local Union.

Section 3 – Membership

The Executive Director shall be a non-voting member of the Executive Board, Industry Divisions and Committees. Consequently the Executive Director shall make every reasonable effort to:

- A. Attend meetings of the Executive Board, Committees and the Leadership Assembly;
- B. Prepare an agenda for the Executive Board and mail copies of the agenda, minutes of the last Executive Board meeting, with current meeting notice and listing of proposed resolutions for adoption to the Executive Board members, along with a previous notice of the meeting.

Executive Director attends all meetings of Executive Board. S/he is a non-voting member.

Section 4 – Non-Completion of Contract

In the event that the contract is not fulfilled, the Executive Board may appoint an Interim Executive Director for a period of not more than 90 days. The Interim appointment may be extended until the position is filled.

ARTICLE 12 – ELECTIONS

Section 1 – Nominations

A. Local-wide Officer Petitions

Any member who wishes to be a candidate for the Office of President, Vice President, Secretary or Treasurer may be nominated by submitting to the Chairperson of the Elections Committee, a nominating petition signed by 100 Members in good standing.

Petitions for local-wide office require 100 signatures.

B. Industry Division Executive Board Delegate Petitions

Any member who wishes to be a candidate for the Office of Industry Delegate may be nominated by submitting to the Chairperson of the Elections Committee, a nominating petition signed by 25 Members in good standing within the Nominee’s Industry Division. Any member who wishes to be a candidate for the Office of Retiree Delegate may be nominated by submitting to the Chairperson of the Elections Committee, a nominating petition signed by 10 Members in good standing within the Retiree Division.

Petitions for Industry Division Executive Board Delegate require 25 signatures.

C. Local-wide Officer and Industry Division Executive Board Delegate Nomination Petitions

The petition shall state the candidate’s name and the office for which he or she wishes to be nominated. No member may be nominated for more than one office. Any member seeking nomination may obtain a nominating petition from the Union office 30 days preceding the date the Chairperson of the Elections Committee sets as the final day to turn in nominating petitions, which shall be the first Friday in March. The petition shall state the petitioner’s name (printed and signed) and his/her Division. Nominating petitions may be submitted to the Chairperson of the Elections Committee personally or in care of SEIU Local 99. Members receiving a petition for office may request a list of the worksite locations and addresses for bargaining units represented by SEIU Local 99 and this list shall be made available.

Candidates have 30-day window to collect signatures.

Notification of the nomination procedures and of all applicable dates shall be mailed to members at their last known home address, or published in the Local Union’s monthly or quarterly newsletter.

D. Certification of Candidates

The Elections Committee shall make a determination of the eligibility of all potential candidates. This determination will be based on the potential candidates’ membership status, the validity of the signatures on the qualifying petition and any and all conditions required by state and federal law.

Elections Committee certifies candidates.

A member not satisfied with a ruling of the Elections Committee may file a complaint with the Executive board within ten (10) days after the act complained of, to review the action of the Election Committee pursuant to provisions of this Local Union’s Constitution and Bylaws.

Members’ right to protest decisions of Elections Committee.

E. Candidate Statements

All candidate statements must be received by the election Chairperson no later than 5 P.M. two (2) working days after the nominating petitions are due to be included in the Voter's Pamphlet. The Election Committee shall exercise reasonable authority in regard to preparing statements for mailing and may submit questionable material to legal counsel for an opinion as to potential liability upon the Local Union. Candidate statements must be no longer than 300 words in length. All material sent out by the Union shall contain the following disclaimer:

Local Union to send out candidate statements for all candidates.

“This material is distributed through the offices of SEIU Local 99 of purpose of equal access and accommodation in the democratic election process. SEIU Local 99 does not endorse any candidate nor vouch for the accuracy of his/her statement.”

F. Right to Inspect Records

Each bona fide candidate for office shall have the right, within thirty (30) days prior to any election in which s/he is a candidate, to inspect a list containing the names and last-known addresses of all members of this Local Union. Such inspection shall be arranged by the candidate with the Executive Director in advance. No candidate shall be permitted by the Executive Director to copy any names or addresses of members shown on such list. Such inspection must be made in the presence of the Executive Director or his/her designee.

Candidates' right to inspect records.

Section 2 – Eligibility for Local-wide Officers, Industry, and Retirees Division Executive Board Delegates

A. Eligibility

A person shall be eligible to be nominated and to serve as an elected Local Union officer or Division Executive Board Delegate who has been a member in continuous good standing in the Local Union for at least one (1) year immediately preceding the nomination and who has during all of that time paid the full dues required for the working members of the Local Union within each month when due. However, if any of its bargaining units or Industry Divisions has not been in existence the time herein required, a candidate for office must have been a member in continuous good standing for the entire time since affiliation, creation of new Industry Division or first contract.

Candidates must be members in good standing for one year.

B. Disqualifications

No person who has been convicted of a felony as defined in Section 504 of the Landrum-Griffin Act (or an indictable offense in Canada) shall, in accordance with the provisions of applicable law, be eligible to hold office in this Local Union. No candidate (including a prospective candidate) for any office in this Local Union or affiliated body, or supporter of a candidate may solicit or accept financial support or any other direct or indirect support of any kind from any non-member of Service Employees International Union.

Section 3 - Industry Division Executive Board Delegates Election

Only members in good standing within each Division shall be allowed to vote for the delegates to represent that Division on the Executive Board. Members in good standing within each Industry Division will have the right to vote for the number of candidates that corresponds to the overall number of delegate seats reserved for the Industry Division on the Executive Board. Seats will be filled pursuant to the election procedures in Section 11, below.

*Industry Division
Executive Board
Delegates elected by
members of their
Industry Division.*

Section 4 – Election Procedures

Local Officer elections and Industry Division delegate elections will be conducted through one of the following methods, pursuant to the limitations and restrictions below: Mail Ballot administered by a neutral third party, mail ballot not administered by a neutral third party, or site balloting. When the services of a neutral third party administrator are engaged, the third party shall consult with and defer to the Elections Committee regarding matters within its purview. When the services of a neutral third party are not engaged the Elections Committee shall have the authority to supervise all phases of the election process.

*Definition of election
procedures.*

Section 5 - Third Party Administrator

Mail balloting will normally be conducted by a neutral third party administrator in accordance with the rules established by the Local Union. The Executive Board may, by three fourths (3/4) vote, choose not to engage the services of a Third Party Administrator. This work shall include the verification of voter eligibility, mailing of ballots, replacement ballots and candidate statements, judging ballot validity and counting the votes for each elected office. All processes used by the third party election administrator shall be transparent and made known to all candidates in writing. Any candidate may appoint an observer to witness any of the above-outlined election processes. Only the third party administrator shall handle ballots. If this Local Union elects to conduct the election with a mail ballot but not to use a Third Party Administrator, Section 6, Mail Balloting procedures will be followed. If the Local Union chooses to conduct the election through site balloting, Section 7, Site Balloting procedures will be followed.

*Default procedure to
engage services of
neutral third party
administrator.*

Section 6 - Mail Balloting

A. Mailing of Ballots

Ballot packages shall be mailed to all Members. It shall be mailed to the most current mailing address on file. Ballots must be returned by the United States Postal Service. Ballots not in the designated Post Office Box will not be counted. All ballots will remain in the Post Office until the afternoon of the date of the ballot count. On that date, the Chairperson of the Elections Committee or his/her designated representative will pick up the ballots at the post Office. Anyone who wishes to accompany and observe this pick-up must contact the Union office to make arrangements to do so.

*Procedures for mail
balloting without
neutral third party
administrator*

B. Ballot Packages

Ballot packages shall contain all pertinent information. The packet shall contain two envelopes for return of the ballot. One unmarked envelope and one envelope addressed to the Union at a designated Post Office Box. Voters shall place their marked ballot in the unmarked envelope, seal it and place it into the stamped, addressed envelope. The outside envelope shall have a place on the back for the printed name and signature of the member.

C. Replacement Ballots

Any member who does not receive a ballot may request a replacement ballot by contacting the Union office. The replacement ballot will be mailed to the member or can be picked up at the Union office. The last date for requesting replacement ballots will be specified by the Elections Committee.

D. Counting of Ballots

Ballots shall be counted at the Union office at the end of the last day of voting. The names on the envelopes will be checked against the most current member list. Only those envelopes verified to have been received from members in good standing will be counted.

E. Observers

Any member who wishes to observe the ballot count may do so.

Candidates' right to observe ballot count.

F. Ballots

All ballots shall be printed on paper of uniform size, color and texture. The names of all candidates who have qualified and who have been duly nominated shall be listed on the ballot. The position of the candidate's name on the ballot will be determined by lot.

Section 7 - Site Balloting

The Executive Board, subject to the approval of the Leadership Assembly may decide to hold the Local-wide Officer and Industry Executive Board Division Delegate election through site balloting rather than mail balloting. The Elections Committee shall determine the polling places and times to provide reasonable access to the membership for voting.

Procedures for site balloting if neutral third party administrator is not used.

A. Balloting

Voters shall present photo identification and be checked off against a Union member list to obtain a ballot. In the event that photo identification is not available, an employee identification with employee number or paycheck stub may be substituted. The voter shall sign the member list. If a person wishing to vote is not listed on the member list, s/he may cast a challenge ballot with his/her printed name and signature on the back of the envelope. The challenge ballots will be held until the close of vote count. If the number of challenge ballots could make a difference in the outcome of the election, the challenge ballots will be checked for verification of membership. If the membership is found to be valid, the ballot will be counted.

B. Ballot Count

In the case of multiple sites balloting, site ballot boxes shall be sealed and signed by member observers at each site. Sealed boxes will be transported to the Election Committee at the Union office. Ballots shall be counted at the end of the last day of voting. Any member wishing to observe the ballot count may do so. In the case of single site balloting, ballots shall be counted at the site by the Elections Committee.

C. Observers

Each certified candidate may appoint one observer per balloting site who shall be entitled to observe all phases of the election process including the site balloting and the counting of ballots. Each candidate that appoints observers shall indicate, in writing, to the Chairperson of the Elections Committee, the name of the candidate and the names of his or her observers. A candidate may serve as his or her own observer.

Candidates' right to have observers.

Section 8 - Certification of Results

Upon completion of the ballot count, the Elections Committee shall certify the results of the election, including the total number of votes cast for each candidate. The Elections Committee shall immediately declare elected the candidate receiving the highest number of votes for the given office. The results shall be posted at the Union office, and published in the Union newsletter.

Elections committee certifies results.

Section 9 - Election Protests

Any member wishing to protest the manner in which the election was conducted may do so by filing a written protest with the Chairperson of the Elections Committee within seven (7) days after the election results are certified. The Elections Committee shall promptly meet, decide the protest and announce its decision within fourteen (14) days of the certification of the balloting results. Any decision of the Elections Committee may be appealed to the Executive Board within fifteen (15) days.

Candidates' right to protest.

Section 10 - Disposal of Ballots

After certification of the results of the election, the voted ballots and other election materials shall be delivered to the Chairperson of the Elections Committee. The Chairperson shall then determine that all ballots and other election materials have been placed in containers, sealed and stored in such place as the Elections Committee deems appropriate. All such containers shall be stored unaltered for one (1) year subsequent to the date of the certification of the results of the election. If the election is not contested pursuant to Section 9 (above), all ballots and other election materials shall be destroyed by the Chairperson of the elections committee without the contents being examined after one year.

Local Union to keep ballots for at least one year following election.

The Chairperson of the Elections Committee shall certify to the Board at its next regularly scheduled meeting that the ballots and other election materials have been destroyed.

Section 11 - Declaration of Election

The candidate receiving the greatest number of all votes cast for the position for which s/he is a candidate shall be declared elected. With regard to the Industry Division Delegate elections, the candidate receiving the greatest number of votes will win the first seat, the candidate receiving the second greatest number of votes will win the second seat, the candidate receiving the third greatest number of votes will win the third seat, and the candidate receiving the fourth greatest number of votes will win the fourth seat, pursuant to the limitation in Article 6, Section 1B.

Procedures to determine winning candidates for Industry Division Executive Board Delegates.

Section 12 - Tie Votes

If, in any election, two or more candidates receive an equal number of votes and because of such tie vote, it is impossible to determine which candidate or candidates have been elected, the Elections Committee shall determine a method to decide the candidate elected. Methods shall include a runoff election, flipping a coin or drawing of straws. The Elections Committee shall determine the method to decide a tie vote including elections where the services of the neutral third party administrator have been engaged.

Procedure to break a tie vote.

Section 13 - Union Staff

Local Union staff shall maintain neutrality concerning internal elections for Local Union office while in the performance of their duties. Local Union employees shall remain uninvolved and neutral in relation to candidate endorsements. It is to be understood and expected that Local Union staff assist in the proper administration of the election.

Local Union staff's neutral involvement in elections.

Section 14 - Steward Elections

Stewards and alternates will be elected by co-workers through a process of collecting signatures of 25% of coworkers who are members in good standing in their workplace and bargaining unit on a petition provided by Local Union staff. If more potential stewards collect the requisite signatures than slots available, Local Union Staff will hold a worksite election.

Stewards elected by petition.

When a steward transfers or is assigned to a worksite other than the one in which s/he was elected as a steward, his/her standing as a steward will not transfer to the new worksite.

Steward standing does not transfer to new worksite.

ARTICLE 13 - RECALL

Section 1 - Executive Board Members

Executive Board members, including officers, may be recalled by a vote of the constituency that elected him/her to office

A vote to recall an officer shall be held within sixty (60) days of receipt of a petition signed by at least 35% of the membership of the constituency that elected him/her to office.

All signatures shall be dated and shall be no more than ninety (90) days old at the time of submission in order to be considered a valid signature.

A Special Election Committee shall be designated from the Executive Board to conduct the recall election pursuant to the provisions for elections contained within this Constitution and Bylaws.

If an Executive Board member or officer is recalled, his/her office shall be declared vacant and filled in accordance with the provisions contained within this Constitution and Bylaws.

Recall elections shall not be scheduled if a petition is received within 180 days of a general election.

If a recall vote is not approved by a majority of those voting in the recall election, no new petition shall be considered valid for the remainder of that person's term of office.

Section 2 - Stewards

Stewards may be recalled by submitting a petition signed by 35% of members in good standing at that steward's worksite or specifically defined unit.

Executive Board member can be recalled by a petition signed by 35% of membership.

Stewards can be recalled by a petition signed by 35% of coworkers.

ARTICLE 14 – VACANCY IN BOARD POSITIONS

Section 1 – Local wide Officer Vacancies

In the event a Local-wide Office is vacated, the Executive Board shall have the authority to appoint, by simple majority vote, a successor who shall serve the remainder of the unexpired term. In the event of the Presidency being vacated, the Vice-President shall succeed to the unexpired term.

Executive Board, not just the President, appoints successor for vacant seats.

Section 2 - Industry Division Executive Board Delegates

Vacancies, which would be filled by a naturally occurring election in less than nine (9) months, will be filled by an appointment. The Industry Division affected by the vacancy will make a recommendation to the Executive Board, for approval by a majority vote. The newly elected Industry Division Delegate's term of office would be until the next regularly scheduled Local-wide election. If the vacated office would not be filled by a naturally occurring election in less than nine (9) months, an election will be held. The newly elected Industry

Division delegate's term of office would be until the next regularly scheduled Local-wide election.

ARTICLE 15 – COMMITTEES

Section 1 – Definition

Committees are vitally important to develop the policies, positions and programs of the Union. Committees are intended to develop leadership and maximize membership participation and input in the decision making process and the work of the union.

Committees help the Local Union develop policies and programs in specialized areas.

A. Standing Committees

Committees that have an ongoing or permanent necessity to develop positions, policies and programs that guide, advise and provide direction to the Executive Board shall be known as Standing Committees. All Standing Committees are sub-committees of the Executive Board.

Committees exist all the time.

B. Special Committees

Committees that deal with specific subject, project issue and/or problem and are temporary in duration, based on the needs of the particular situation, shall be known as Special Committees. The Standing Committees will make recommendations for membership on any Special Committee convened, subject to Executive Board approval.

Special committees called when needed.

C. Committee Operations

The Executive Board of the union shall establish policies and procedures for Committee operations that enhance membership participation and involvement in the day to day activities of the Union. Factors such as committee size, chairpersons, shift representation and frequency of meetings, shall all be considered in establishing the operating guidelines. All Committees shall work in coordination with Local Union staff as assigned.

Any member has right to be part of a committee as long as s/he does the work of the committee.

D. Committee Membership

Committee membership shall be the right of any member in good standing subject to the following limitations:

Active Committee members must attend regular meetings of the Committee. In addition, Active Committee Members must engage in some or all of the work of the committee. This work is generally defined as the typical responsibilities listed in the definition of the committee on a quarterly basis.

Active committee members have right to attend Leadership Assembly.

Any committee member who has an unexcused absence for three (3) consecutive meetings shall be subject to removal from the committee by the committee chair, upon a majority vote committee members present.

Committee members elect chairs except where chair is already defined. For example, Treasurer is chair of Budget and Finance committee.

E. Committee Chair

Committee Chairs shall be elected by committee members in good standing except where otherwise specified in this Local Union Constitution and Bylaws.

F. Inactive Committee Members

Committee members who are inactive will be notified of their inactive status and shall have an opportunity to become active.

Inactive committee members to be notified of status.

Section 2 - Standing Committees

A. Strategic Planning Committee

The Strategic Planning Committee will be comprised of the Chairperson of each Standing Committee and the President of the Local Union. In coordination with staff, this Committee will make strategic plans for the Local Union for Executive Board approval. The Committee will prepare reports for the Executive Board detailing results per their plans. The Strategic Planning Committee will develop a comprehensive yearly and/or multi-year plan to submit to the Executive Board in a timeframe that will allow the Executive Board to review and approve or make alterations before the Year-end Leadership Assembly.

President and chairs of all standing committees develop strategic plans for Local union.

B. Budget and Finance Committee

The Budget and Finance Committee assists the Executive Board with the budget and finances of the Local Union. The Budget and Finance Committee shall be comprised of the Officers of the Union. Members in good standing may also become members of the Budget and Finance Committee subject to the following restriction: there shall be no more than one member from each Industry Division, who shall be the person receiving recommendation from the Industry Division. The Chairperson of this committee shall be the Treasurer. Typical responsibilities include but are not limited to:

Budget and Finance committee oversees financial condition of Local union.

- A. Studying revenues and expenditures;
- B. Drawing up a preliminary budget;
- C. Recommending action on the financial condition of the Union.

Each Industry Division may have one member serve on Budget and Finance committee.

C. Member Organizing Committee

A primary function of our Local Union is to organize and unite all workers within our assigned jurisdiction. The Organizing Committee assists the Executive Board and President in developing and carrying out a sound organizing program. Typical responsibilities include but are not limited to:

Member Organizing committee (MOC) helps Local union organize new workers into union.

- A. Assessing potential organizing targets;
- B. Assisting in the implementation of the organizing program;
- C. Doing house calls, meetings, leafleting, etc. when needed;
- D. Promoting the organizing program of the Local Union to members.

D. Committee on Political Action

The Committee assists the Executive Board in developing and carrying out the political programs of the Local and the International Union. Typical responsibilities include but are not limited to:

Committee on Political Action (COPA) helps Local union build political power and makes recommendations on endorsements.

- A. Voter Registration programs and "Get out the Vote" activities;
- B. Reviewing and monitoring legislation of interest to SEIU Local 99's member and making recommendations to the Executive Board on the Local Union's position;
- C. Interviewing candidates for political office;

- D. Reviewing requests for campaign contributions for endorsed candidates;
- E. Developing fund raising and other support activities or events;
- F. Developing and maintaining coalition relationship with community and other organizations that benefit and help advance our Local's mission

Neither the Local Union, nor the Committee on Political Action, shall establish its own registered federal political committee nor make contributions in connection with federal elections.

The Local Union shall affiliate with the appropriate Central Labor Councils and State or County Federations of Labor, where these exist, and with the appropriate SEIU State Councils, Division, or Service Council, as determined by the International and shall strive to maintain an active compliment of delegates who shall represent the positions and policies of the Local Union. The Executive Board shall receive all recommendations for delegate appointments for the Central Labor Council and State or County Federation of Labor and shall make final approval consistent with the policies of the Union.

E. Education and Training Committee

The Committee assists the Executive Board in developing and carrying out the education and training programs of the Local Union and the International Union. Typical responsibilities include but are not limited to:

- A. Formulate programs to educate and train our members, stewards and leadership on a wide variety of issues and skills;
- B. Participate in running the Local Union's Steward Training program;
- C. Assist our members with identifying opportunities for career advancement and/or retraining.

Education and Training committee develops programs to train union stewards, leaders and members.

F. Communications Committee

The Communications Committee assists the Executive Board in developing and carrying out the communications of the Local and the International Union. Typical responsibilities include but are not limited to:

- A. Formulate communications programs for our members and leaders that further the mission and goals of SEIU Local 99;
- B. Participate in the creation of Local Union communications materials;
- C. Participate in the creation of the Local Union's yearly report to the membership.

Communications committee helps to develop the communications program of Local Union.

G. Social, Economic and Global Justice Committee

The Social and Economic Justice Committee assists the Executive Board in developing and carrying out social and economic justice programs for the Local Union. The Social and Economic Justice Committee shall be comprised of volunteers as diverse as the membership of SEIU Local 99 and shall be convened on a Local-wide basis. Typical responsibilities include but are not limited to:

- A. Foster a respect for cultural diversity and promote Local-wide unity around that concept;

Social, Economic and Global Justice committee helps develop community allies and helps the Local Union develop international justice campaigns.

- B. Wage campaigns for equal and fair treatment of workers wherever discrimination is found;
- C. Participate in conducting community relations and building long term alliances with Social and Economic Justice organizations, religious and other community and social entities;
- D. Sponsor events and training opportunities to promote greater understanding between communities and caucuses within SEIU Local 99;
- E. Promote equality of economic, social and political opportunities within the Union; with employers and in the community;
- F. Organize activities that will advance the interests of the membership of the Union, the International Union, and of workers everywhere in the improvement of general economic, social and political conditions;
- G. Work with other Unions and community organizations whose goals and purposes are similar and consistent with those of SEIU Local 99.

H. Grievance and Arbitration Committee

The Executive Board shall appoint a committee on Grievance and Arbitration to assist in the processing of grievances that have reached an impasse between a member or members and the employer, as well as monitoring all grievances of the Local Union. Typical responsibilities include but are not limited to:

- A. Meeting monthly;
- B. Review a report on all pending grievances in coordination with Local Union staff.

Grievance and Arbitration committee helps Local union with effective grievance representation.

I. Member Services Committee

The Member Services Committee assists the Executive Board in developing and carrying out plan for specific events and activities in which the General Membership can participate. Typical responsibilities include but are not limited to:

- A. Developing member benefits programs other than benefits typically negotiated in collective bargaining agreements.

Member Services committee develops member benefits, events and activities.

J. Retired Members Committee

The Committee assists the Executive Board in developing and carrying out a program that meets the needs of Senior and Retired members of the Union. The Committee comprises former members of SEIU Local 99 who pay the prescribed dues to the Local Union. Typical responsibilities include but are not limited to:

- A. Providing a vehicle for the continuing involvement of Senior and Retired members in the activities of the union;
- B. Recommending, monitoring and organizing for legislation that will improve areas of concern such as: pensions, housing, health care, taxes, consumer concerns and other issues;
- C. Informing Senior and Retired Members of the benefits and services that are available to them through the union, community groups, government, and other appropriate agencies;
- D. Developing social and cultural programs that enhance the quality of life of Senior and Retired members.

Retired Members committee is composed of retirees and serves as a vehicle for organizing retirees around their concerns.

Section 3 – Special Committees

A. Bylaws Committee

A Bylaws Committee may be formed by a three fourths (3/4) vote of the Executive Board. The Bylaws Committee shall be comprised of 2 members elected from each Industry Division. Each Industry Divisions shall elect the two members from different bargaining units, unless there is only one bargaining unit within that Industry Division. The Bylaws Committee shall review the Bylaws of this Union and present their findings to the Executive Board. The Chairperson of this Committee shall be elected by the members of the Committee.

Bylaws Committee formed, if necessary, to review bylaws.

B. Elections Committee

Prior to February 1, in any election year, the Executive Board shall appoint an Elections Committee consisting of a Chairperson and at least five (5) additional members. There shall be at least one member from each Industry Division on the Elections Committee. No member may serve on the Elections Committee if s/he is a candidate for office. If a neutral third party administrator is not engaged, the Elections Committee shall determine all questions of candidate eligibility, be in charge of the election process and the counting of ballots, the certification of results and decide any election protests. In the case of a membership referendum vote, the Elections Committee shall be appointed prior to the mailing of the ballots.

Elections committee ensures all elections procedures are followed.

ARTICLE 16 – REVENUES AND PROPERTY

Section 1 - Dues

A. Regular Members

Membership dues shall be established by the Local Union, subject to a vote of the General Membership, but shall not be less than the minimum dues required by the Constitution and Bylaws of the Service Employees International Union for all regular working members, unless proper waiver of such provisions is secured from the International President, except as provided in Section 3 below. Dues of this Local Union will be calculated as a percentage of bi-weekly or monthly income. The percentage will be no less than the minimum required by the International Union.

Membership dues on percentage basis.

B. Retired Members

Retired Committee Members shall pay membership dues as established by the Local Union but not less than that required by the Constitution and Bylaws of the Service Employees International Union for retired members, unless proper waiver of such provisions is secured from the International President.

Retired member dues.

C. Associate Members

Associate members shall pay a reasonable rate of dues, to be determined by the Executive Board.

Associate member dues.

Section 2 - Dues Payments

- A. Membership dues are payable through payroll deduction, or may be paid in cash on a quarterly basis, as permitted by applicable law. Cash dues shall be due and payable on the first day of the upcoming quarter. It shall be the responsibility of the individual member to notify the Union of any change in their employment status that might require an adjustment in their dues obligation.
- B. Members failing to pay quarterly cash dues within sixty (60) days of their due date shall be considered delinquent, and direct pay dues privileges shall be suspended, and they will have forfeited all rights and privileges as of that date. The Local Union shall notify the employer of such suspension and shall cause the employer to deduct dues through payroll deduction, if available.

Section 3 - Dues Vote

Any increase in the rate of dues or initiation fees or assessments, which have not been mandated by a Convention of the International Union, may be made only in accordance with the following procedure or in accordance with the SEIU Constitution. Dues, general and special assessments may only be changed by majority vote by secret ballot of members in good standing voting at any Special General Membership meeting(s) or as prescribed by the International Constitution and Bylaws pursuant to the requirements imposed, unless proper waiver of such provisions is secured from the International President.

Members' right to vote on changes in their dues.

The Treasurer shall give reasonable notice to the membership at least fifteen (15) days prior to the meeting(s) at which the membership will consider the question of whether or not such dues, initiation or reinstatement fees, general or special assessment, shall be changed or levied. The notice shall indicate that an increase or assessment is to be voted on. Such meeting(s) shall be Special General Membership Meetings.

Members must be notified at least 15 days in advance of any dues vote.

In order to have the broadest participation possible, the following procedure will be used: at least ten (10), but not more than twenty (20), separate Special General Membership meetings will be scheduled in order for members to cast their vote. These meetings shall be scheduled within a fifteen (15) calendar day block of time at various accessible geographic locations, with consideration given to all shifts.

Dues vote procedures.

Section 4 - Local Union Property

All officers shall deliver to their respective successors, at the conclusion of their term of office, all property in their possession belonging to this Local Union. All the funds and property of the Local Union shall be deemed held in trust for the benefit of the members, to be used in accordance with the direction of the Leadership Assembly and the Executive Board.

The title of all property, funds and other assets of this Local Union shall at all times be vested in the Local Union Executive Board for joint use of the General Membership of this Local Union, but no member shall have any severable proprietary right, title or interest therein; except that all affiliating unions shall retain all properties, real or otherwise, as provided for in their affiliation agreements.

Membership in this organization shall not vest any member with any right, title or interest in or to the funds, property or other assets of this Local Union, now owned or possessed or that may hereafter be acquired, and each member hereby expressly waives any right, title or interest in or to the property of this Local Union, including the fund of this Local Union.

Section 5 – Retention of Records

All records of the Local Union pertaining to income, disbursements and financial transactions of any kind, whatsoever must be kept for a period of at least six years or longer, as required by applicable law.

ARTICLE 17 – GENERAL MEMBERSHIP MEETING

Section 1 - Meetings

A General Membership meeting of all the members of the Local Union together at the same time shall take place at least 2 times annually at such time and place as the Executive Board may designate. The General Membership shall be notified of such meeting time and place fifteen (15) working days prior to such meeting. Such notice shall include the agenda of the meetings, including the Order of Business. The Order of Business at membership meetings shall be set by the President, in accordance with these Bylaws. Members who wish to discuss areas of concern will have their issue or concern forwarded to the Executive Board. The Executive Board will provide members with a response to his/her issue or concern within sixty (60) days after the next regularly scheduled Board Meeting.

General Membership meetings held twice a year.

Members notified at least 15 days before the meeting.

Section 2 - Order of business

1. Opening
2. Roll Call of Executive Board
3. Reading of Minutes from the preceding meeting
4. Initiation of new members
5. Reports of Executive Board, Executive Director and Committees
6. Good and Welfare
7. Adjournment

Section 3 - Special Meetings

Special meetings of the general membership shall be called by the President and/or the Executive board by a three-fourth (3/4) vote of the Executive Board as specified in this Local Union Constitution and Bylaws. If the

Special meetings can be called by President or Executive Board.

Special meeting is called for the purpose of voting on a change in the Local Union dues, general or special assessment, or to vote on an amendment to the Local Union Constitution and Bylaws, members in good standing will be afforded voting rights. Special meetings shall state the nature of the business to come before the meeting, and only that business may be acted upon. The quorum for any Special meeting of the General Membership shall be ten percent (10%). When a Special meeting of the General Membership is called and such meeting involves mail ballots or on site voting, a minimum of ten percent (10%) ballots must be cast in order for the quorum to be considered met.

If Special Meeting is called to vote on change to dues or bylaws, at least 10% of membership must vote.

ARTICLE 18 - INITIATIVES AND REFERENDUM

After an issue has been brought before the Executive Board and a response received, if an objection to the response or the original issue still remains unresolved, members have the right to begin the initiative process.

The initiative process is as follows:

An initiative or referendum may be initiated by petitions signed by ten percent (10%) of members in good standing in this Local Union.

After an initiative or referendum has been initiated and certified as valid it will automatically be referred to the Leadership Assembly to be addressed at the next Leadership Assembly.

The Leadership Assembly may call a special meeting to address the initiative or referendum pursuant to Article 8.

All petitions for initiative or referendum must be submitted on a form approved by the Executive Board. All signatures must be dated and shall be no more than ninety (90) days old at the time of submission in order to be considered a valid signature.

ARTICLE 19 – AMENDMENTS

Section 1 – Origination of Amendments

Proposed amendments (s) of these bylaws may be originated by a majority vote of the Executive Board or by a petition signed by at least ten percent (10%) of the membership in good standing, upon a form certified by the Secretary and returned to the Executive board within ninety (90) days of issuance.

Procedures to amend the bylaws.

No proposed amendments(s) to the Bylaws shall be acted on unless and until such amendment(s) has been read at least once at the Executive Board

Meeting prior to the Board meeting at which action is to be taken on either referring the amendment(s) to a mail ballot or to a Special General Membership Meeting.

Section 2 – Voting Procedures

After an amendment to the Bylaws has been originated, the Executive Board shall either refer the matter to the General Membership for a mail ballot vote or may call a Special General Membership Meeting of the Local Union within sixty (60) days. A call for a Special General Membership Meeting shall state clearly the proposed amendments.

Bylaws vote can be by mail or in Special General Membership meeting.

A. Mail Ballot

In the event there is a referral to the membership by mail ballot, the amendment (s) shall require a majority vote of those voting for approval.

B. Special General Membership Meeting

In the event a Special General Membership Meeting is called, the meeting may approve or reject the proposed amendment(s) by a two-thirds (2/3) vote or may, by a majority of the members voting, refer the proposed amendment(s) to a mail ballot vote, in which case the amendment(s) shall require a majority vote for approval.

Section 3 – Approval by International

All amendments shall be subject to ratification in accordance with the provisions of the International Constitution and Bylaws. No Amendment shall be valid or become effective until approved by the International Union.

ARTICLE 20 – CHARGES, TRIALS, PENALTIES AND APPEALS

Preamble: In order to ensure members’ protection from the filing of frivolous charges, the following procedures shall apply.

Section 1 - Filing of Charges

The procedure prescribed in the International Constitution shall govern the filing of charges, conduct of trials and appeals, except that: Following receipt of charges, the President shall appoint a Trial Body of members from among the Industry Divisions, with no Division having more than one member to serve on the Trials and Appeals Committee. The President’s appointments will be subject to approval by the Executive Board.

Trials and Appeals committee composed of one member from each Industry Division.

Section 2 – Procedures

In order to ensure members’ protection from the filing of frivolous charges, the following procedures shall apply.

Members may be charged with:

1. Violation of any specific provision of this Constitution or of the Constitution and Bylaws of the International Union;
2. Violation of an oath of office;
3. Gross disloyalty or conduct unbecoming a member;
4. If an officer, gross inefficiency which might hinder or impair the interests of the International Union or the Local Union;
5. Financial malpractice;
6. Engaging in corrupt or unethical practices or racketeering;
7. Advocating or engaging in dual unionism or secession;
8. Violation of democratically and lawfully established rules, regulations, policies or practices of the International Union or of the Local Union;
9. The wrongful taking or retaining of any money, books, papers or any other property belonging to the International Union or the Local Union, or the wrongful destruction, mutilation or erasure of any books, records, bills, receipts, vouchers, or other property of the International Union or the Local Union;
10. Working as a strike breaker or violating wage or work standards established by the International or Local Union; and
11. The bringing of false charges against a member or officer without good faith or with malicious intent.

Whenever charges are preferred against any member or officer of the Local Union, the charges shall be filed in writing in duplicate with the Secretary. The charging party should specify what he/she believes constitutes a basis for the charges and the specific subsection (s) of this Article the charging party believes has been violated. The Secretary shall serve a copy of the charges on the accused either personally, or by registered or certified mail directly to the last known address of the accused at least ten (10) days before the hearing on the charges. If the charges are not specific, the Trial Body may dismiss the charges either before or at the hearing, but, the charging party shall have the right to re-file more detailed charges that comply with this Section. No charges may be filed more than six months after the charging party learned or could have reasonably learned of the act of acts that are the basis of the charges. Any member under charges may have another member of this Local Union act as counsel, to represent him or her in the presentation of his or her defense.

Following the conclusion of a full and fair hearing and in the event the charges, or any portion thereof, are sustained, then the Trial and Appeals Committee shall render judgment and impose disciplinary action as it deems necessary. If the charges are not sustained, the same shall be dismissed and the accused restored to full rights of membership or office in the Local Union. The decision of the Trials and Appeals Committee shall be reported at the next regular Executive Board meeting and may be sustained, modified, or rejected.

Section 3 - Union Remedies/Appeals

Subject to the provision of applicable statutes, every member or officer of this Local Union against whom charges have been proffered and disciplinary

action taken agrees, as a condition of memberships or affiliation and the continuation of membership of affiliation, to exhaust all remedies provided for in the Constitution and Bylaws of the International Union and in these Bylaws, and further agrees not to file or prosecute any action in a any court or tribunal, or other agency until those remedies have been exhausted. The members of Trials and Appeals Committee shall have a voice but no vote in connection with the appeals.

The SEIU Member Bill of Rights and Responsibilities in the Union shall be enforced exclusively through the procedures provided in this Article and any decision rendered pursuant to the procedures provided for herein, including any appeals, shall be final and binding on all parties and not subject to judicial review.

ARTICLE 21 – SEVERABILITY

Any provision of this Constitution and Bylaws which is in conflict with the International Union’s Constitution and Bylaws or applicable law is of no force or effect but will not affect the validity of the remaining provisions. The Constitution and Bylaws, or any amendments thereto shall at all time be subordinate to the International Constitution and Bylaws as amended.

ARTICLE 22 – PARLIAMENTARY AUTHORITY

Where not in conflict with these Bylaws, the parliamentary authority for all meetings of this Local Union shall be Robert’s Rules of Order, Revised.

Robert’s Rules of Order.

APPENDIX A

SEIU Member Bill of Rights and Responsibilities on the Job

Every member has the right to:

Have work that is worthwhile to society, personally satisfying to the worker, and which provides a decent standard of living, a healthy and safe workplace, and the maximum possible employment security.

Have a meaningful and protected voice in the design and execution of ones work and in the long-term planning by ones employer, as well as the training necessary to take part in such planning.

Fair and equitable treatment on the job.

Share fairly in the gains of the employer.

Participate fully in the work of the union on the scope and content, and structure of ones job.

Every member has the responsibility to:

Participate in the union's efforts to establish and uphold collective principles and values for effective workplace participation.

To recognize and respect the interests of all union members when making decisions about union goals.

To be informed about the industry in which one works and about the forces that will affect the condition of workers in the industry.

To participate fully in the union's efforts to expand the voice of workers on the job.

To give fully and fairly of ones talents and efforts on the job, and to recognize the legitimate goals of ones employer.

APPENDIX B

A SHORT COURSE IN PARLIAMENTARY PROCEDURE

Using Robert's Rules of Order

The Agenda

After the meeting is called to order, the first thing to do is to adopt an Agenda or Order of Business. This will limit the meeting to taking up only the points on the Agenda. "Beefs" are often taken up under Good and Welfare or Welfare of the Union. If you've forgotten anything, take it up there too.

Motions

Business is conducted at a meeting by using Motions. A Motion is made from the floor, seconded and then debated.

In debating, or speaking on a motion, no member should be allowed to speak twice before everyone who wants to talk has spoken once. Speaking on a motion is called taking the floor.

Recognition

In order to make a motion, a member should rise, face the Chairperson, and signal or call for attention by saying "Brother/Sister Chair." When you make a motion, be very clear on what you are saying. If there is confusion, ask the Chairperson to help you straighten it out. That's part of his/her job.

Seconding

Motions must be seconded before they can be acted on. Once a motion has been made and seconded, it must be disposed of, either by being defeated, passed, tabled, or placed in committee.

Amendments

After a motion has been made and seconded, it is on the floor. Only then can an amendment be made. The object of an amendment is to change the original motion without destroying the sense of it.

For example, if there was a motion on the floor to hold a picnic, it could be amended to add a specific date or place, but it could not be amended to change the event from a picnic to a bowling tournament. Amendments generally take the form of inserting or adding words to the motion, striking out words or substituting words or sentences.

The Chairperson is obliged to rule out of order any proposed amendment which would do more than the above, and change the sense of the motion entirely.

Amendments to motions can be debated. After debate, the amendment is first voted upon, and then the motion itself is voted upon.

Renew a Motion

A rejected motion cannot be renewed at the same session. The same maker can renew it at a future session.

Voting

The Chairperson cannot vote unless there is a tie vote and the Chairperson wishes to break the tie.

Voting is normally by voice. If the result is not clear, the Chairperson should ask for a hand or standing vote, called a division of the house. If the Chairperson doesn't make such a call, a voting member has the right to demand it.

Deferring Action

Sometimes it is best to wait until another meeting to act on a motion. There are several ways to do this, but the easiest way is to table the motion. To do this, make a motion to table the question. After someone seconds the motion, the vote is taken. There is no debate on a motion to table. A simple majority carries the motion.

Motions that have been tabled are taken up by a motion to remove from the table. A second is required, no debate permitted, and a simple majority carries the motion.

Place in Committee

If you want to let a few members handle a certain matter instead of tying up the whole meeting, then this is done by placing the question in a committee by a motion to refer to committee. If there is no committee, then the Chairperson can set one up after the motion to refer is passed.

Appeals to Overrule the Chairperson

The Chairperson of the meeting has certain rights. They do not include "railroading" things through. A decision of the Chairperson can always be changed by appealing the decision of the Chair. When a member rises to appeal a decision of the Chair, he/she says, "I appeal the decision of the Chair." After the appeal is seconded, the Chairperson steps down. Without further debate, the acting Chairperson puts the issue up for vote by saying "Shall the Chair be sustained?"

The chairperson is supposed to be the "servant of the assembly" and his/her job is to help get the work done. The Chairperson should not dominate the meeting by doing all the talking.

The Chairperson cannot authorize anyone to act in his/her place if absent from the meeting. That is in the Bylaws. In the absence of applicable Bylaws, the members present elect a Chairperson for the meeting.

The Question of Privilege

In questions of privilege, the only privilege involved is that of getting the attention of the Chairperson at once on a point of inquiry, point of procedure, point of order or point of personal privilege.

When raising a question of privilege, you do not wait for recognition from the Chairperson; you interrupt by stating, "Brother/Sister Chairperson, point of order (or inquiry, procedure or personal privilege)."

Raise a point of inquiry to ask a question vital to your understanding of the questions being discussed.

Raise a point of procedure if you feel the Chairperson is acting contrary to regular procedure.

Raise a point of order if you feel some member is acting contrary to regular procedure; you ask the Chairperson to take some action.

Raise a point of personal privilege if a member impugns your intelligence or character, or makes an untrue or unfair remark about you.

The Chairperson states, "The point is well taken," and takes action on it, if he/she agrees with you. If the Chairperson disagrees, s/he must give a reason and you may then appeal. However, the membership, unlike the Chairperson, is not obliged to recognize an appeal on a question of privilege. Thus, a chronic interrupter, abusing the privilege, can be silenced.

Committee of the Whole

In extreme cases, when the Chairperson is ruling with an iron hand, and has effectively straight-jacketed the members, despite all the other remedies available through use of Robert's Rules, it is possible for two thirds of the members to call a committee of the whole.

When you call for a committee of the whole, the union meeting is interrupted, and all members present become members of a committee. As such, they must elect a new Chairperson, as the regular Chairperson is obliged to step down. They are then free to discuss as you would converse at the dinner table, without Robert's Rules of Order. This may allow the members to get things back on track.

Motions must be made and passed, but finally, a motion must be passed to reconvene the union meeting, and the regular Chairperson resumes his/her post. All motions passed in committee of the whole must at that point be voted on by the members now assembled again as the union meeting.

The Minutes

The minutes of a meeting are a record of what happened at a meeting. Minutes are approved at the next meeting. This way, if there are mistakes, they can be corrected. That's how the rank and file keep the record straight. Minutes must record all motions.

Officers' Reports

Rank and file union members should be alert during the Officers' Reports. These reports are an accounting to the membership of how their elected officials have conducted union affairs since the last meeting.

Following the report, a motion must be offered from the floor to accept or reject the report. If you disagree with one or more points, you can make a motion to have each point considered separately. This is known as considering the points seriatim (in series). If the membership adopts your motion, you will be able to argue for rejection of the points with which you disagree.

APPENDIX C

OATHS AND INITIATION RITUAL

PRESIDENT: “It is my duty to inform you that the Service Employees International Union requires perfect freedom of inclination in every candidate for member. An obligation of fidelity is required; but let me assure you that in this obligation there is nothing contrary to your civil or religious duties. With this understanding are you willing to take an obligation?”

(Answer.)

MEMBERSHIP OBLIGATION:

“I, (name) _____, pledge upon my honor that I will faithfully observe the Constitution and Bylaws of this Union and of the Service Employees International Union.

“I agree to educate myself and other members in the history of the labor movement and to defend to the best of my ability the principles of trade unionism, and I will not knowingly wrong a member or see a member wronged if it is in my power to prevent it.”

PRESIDENT: “You are now members of the Service Employees International Union.”

OFFICERS’ INSTALLATION OBLIGATION

“I, (name) _____, accept my responsibility as an elected officer of the Service Employees International Union and “I pledge that I will faithfully observe the Constitution and Bylaws of the Service Employees International Union.

“I pledge that I will work to the best of my ability to provide effective and responsible leadership and representation to the members, including organizing the unorganized workers within my jurisdiction.

“I agree to defend the principles of trade unionism; to work to improve the lives of working people; and to help elect pro-worker politicians.

“I will not knowingly wrong a member or see a member wronged if it is in my power to prevent it.”